

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

GABRIEL SANCHEZ,

Defendant.

Case No. 20-cr-0282 BLF (NC)

**DETENTION ORDER**

Hearing: 8/30/2024


In accordance with the Bail Reform Act, 18 U.S.C. § 3142, the Court on August 30, 2024, held a hearing to determine detention or release on supervisory conditions for defendant Sanchez. Sanchez is charged in this case with two counts of violating the terms of his supervised release. The defendant appeared at the hearing with CJA attorney Erik Babcock, with all parties and counsel (AUSA Jeffrey Backhus) appearing personally before the Court. U.S. Probation Officer Anthony Cardenas was present and argued in favor of detaining the defendant based on his record of violations and recent residential move without notice during supervision. Sanchez, through his counsel, argued for release to reside at an address in San Jose. No custodians or sureties were present.

1 Under Fed. R. Crim. P. 32.1(a)(6) and 18 U.S.C. §3143(a), the defendant charged  
2 with violation of supervised release has the burden of establishing by “clear and convincing  
3 evidence” that he or she will not flee or pose a danger to any other person or to the  
4 community. Here, Sanchez did not establish evidence to overcome this burden. On the  
5 present record, the Court concludes that no combination of conditions may presently be  
6 imposed that would mitigate the risks of non-appearance and danger to the community.  
7 Consequently, the Court orders the defendant Thompson to be detained. The factors that  
8 establish risk of non-appearance and dangerousness: (1) weight and seriousness of the  
9 evidence in the new charges; (2) criminal record; (3) performance while on supervision; and  
10 (4) no verified surety or custodian. A further status hearing is scheduled before the duty  
11 magistrate judge on Sept. 23, 2024 at 1:00 p.m. in San Jose. Probation is asked to further  
12 assess the residence proposed by Sanchez and alternatives to incarceration (residential  
13 treatment and/or a halfway house).

14 The defendant is committed to the custody of the Attorney General or his designated  
15 representative for confinement in a corrections facility separate, to the extent practicable,  
16 from persons awaiting or serving sentences or being held in custody pending appeal. The  
17 defendant must be afforded a reasonable opportunity for private consultation with defense  
18 counsel. On order of a court of the United States or on the request of an attorney for the  
19 Government, the person in charge of the corrections facility must deliver the defendant to a  
20 United States Marshal for the purpose of an appearance in connection with a court  
21 proceeding.

22 IT IS SO ORDERED.

23 Date: August 30, 2024

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Nathanael M. Cousins  
United States Magistrate Judge